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U.S. SMALL BUSINESS ADMINISTRATION,
as Receiver for PROSPERO VENTURES, L.P.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

U.S. SMALL BUSINESS
ADMINISTRATION, as Receiver for
PROSPERO VENTURES, L.P.,

Plaintiff,

v.

HIGH GROWTH MANAGEMENT, LTD.,

Defendant.

NO. C 07-03735 VRW
Related Cases:

C 07-03732 VRW
C 07-03733 VRW
C 07-03736 VRW
C 07-03737 VRW
C 07-03738 VRW
C 07-03739 VRW
C 07-03740 VRW
C 07-03741 VRW

**SUPPLEMENTAL DECLARATION OF
CHRISTINE J. LEVIN REGARDING
INTEREST**

I, CHRISTINE J. LEVIN, do hereby declare and state as follows:

1. I am an attorney at law duly licensed to practice before the United States of America, Northern District of California Court, and am an associate with the law firm of Coleman & Horowitz, LLP, attorneys of record for Plaintiff, U.S. SMALL BUSINESS ADMINISTRATION, as Receiver for PROSPERO VENTURES, L.P. ("PROSPERO") f/k/a Dotcom Ventures, L.P.

2. I have personal knowledge of the facts contained herein and if called upon as a witness, I could testify competently thereto.

3. This declaration is filed in support of Plaintiff's Application to appear for hearing on Application for Default telephonically.

PROCEDURAL HISTORY

4. On July 19, 2007, the complaint was filed. The answer was due on September 18, 2007. When no answer was filed, default against HIGH GROWTH MANAGEMENT, LTD. was entered on October 18, 2007.

5. On November 28, 2007, this case was transferred to Hon. Maria-Elena James.

6. On December 14, 2007, this case was transferred to Hon. Vaughn R. Walker.

7. On December 12, 2007, plaintiff filed a motion for default against defendant.

8. On January 30, 2008, plaintiff served its motion and supporting documents on defendant. Defendant did not respond.

9. Thereafter, the court ordered the defendant to show cause in writing no later than April 11, 2008, as to why plaintiff's motion for default judgment should not be granted and judgment in favor of plaintiff entered. The court stated that if good cause was not demonstrated, in writing, by April 11, 2008, plaintiff's motion would be granted and judgment entered without further appearance. On April 29, 2008, the court extended the deadline for defendant to respond to allow plaintiff to effectuate service.

10. Defendant was served with the order to show cause on April 29, 2008. Defendant has not filed a response.

CALCULATION OF INTEREST

11. Paragraph 5.7(b)(I) of the PARTNERSHIP AGREEMENT provides that a defaulting partner shall pay interest on the amount of its capital contribution then due "... at an interest rate equal to the floating commercial rate of interest publically announced by Bank of America, San Francisco, California, as its prime rate plus four percent (4%) per annum, such interest to accrue from the date the contribution to the Partnership was required to be made ... until the date the contribution is made ..." The prime rate at the Bank of America, San

1 Francisco, California, during the applicable time, was five percent (5%) per annum, thereby
2 totaling nine percent (9%).

3 12. On a balance of \$62,376, interest accrues at a daily rate of \$15.38.

4 13. Demand was made that the requisite contribution be made no later than June 17,
5 2005. There are 1,119 days between the date that the demand for payment be made and July 10,
6 2008. With interest accruing daily at a rate of \$15.38 daily for 1,119 days, the total interest due
7 is \$17,210.22.

8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing is true and correct.

10 Executed on July 10, 2008, at Fresno, California

11 /S/ Christine J. Levin
12 CHRISTINE J. LEVIN
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PROOF OF SERVICE

I declare that I am a resident of the County of Fresno. I am over the age of eighteen (18) years and not a party to the within action. My business address is 499 West Shaw, Suite 116, Fresno, California 93704.

On July 10, 2008, I served the foregoing document described as **SUPPLEMENTAL DECLARATION OF CHRISTINE J. LEVIN REGARDING INTEREST** on the interested parties, addressed as follows:

[x] BY MAIL - by placing [x] a true and correct copy ☐ the original thereof enclosed in a sealed envelope with postage thereon fully prepaid in the firm's outgoing mail. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. It is deposited with United States Postal Service on that same day in the ordinary course of business.

☐ BY CALIFORNIA OVERNIGHT - by placing ☐ a true and correct copy ☐ the original thereof enclosed in a sealed envelope for delivery via California Overnight next day delivery to the addressee noted above.

☐ BY HAND DELIVERY - by delivering by hand and leaving a true copy with the person and at the address shown above.

☐ BY FACSIMILE TRANSMISSION - by causing a true facsimile thereof to be electronically transmitted to the parties, by using their facsimile number indicated below.

Facsimile No.

☐ STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

[x] FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on July 10, 2008, at Fresno, California.

Lisa R. Barr

Via U.S. Mail

Jerald P. Shaevitz
24175 Dawnridge Dr.
Los Altos Hills, CA 94024

Agent for Defendants,
High Growth Management, Ltd.

Via OnTrac Overnight:

Chambers Copies

Hon. Vaughn R. Walker
U.S. District Court, Northern District
450 Golden Gate Avenue
17th Floor, Courtroom 6
San Francisco, CA 94102